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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SWART ET AL.	Examiner:	UNKNOWN
Serial No.:	10/043,827	Group Art Unit:	UNKNOWN
Filed:	10/043,827	Docket:	163.1386USU1
Confirmation No.:	7890	Due Date:	April 11, 2002
Title:	METHOD AND SYSTEM FOR REDUCING MICROBIAL BURDEN ON A FOOD PRODUCT		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence and the paper(s), as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, Washington, D.C. 20231, on March 21, 2002.

By: Sheryl A. Boerboom
Sheryl A. Boerboom

Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 132 References
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: Mark T. Skoog
Name: Mark T. Skoog
Reg. No.: 40,178
MSkoog:sab





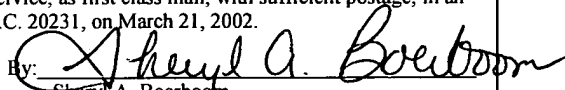
S/N 10/043,827

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SWART ET AL.	Examiner:	UNKNOWN
Serial No.:	10/043,827	Group Art Unit:	UNKNOWN
Filed:	JANUARY 11, 2002	Docket No.:	163.1386USU1
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By: 
Sheryl A. Boerboom

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked



as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612) 332-5300

Date: March 21, 2002


Mark T. Skoog
Mark T. Skoog
Reg. No. 40,178
MTS:sab



FORM 1449 PTO INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) MAR 26 2002 PATENT & TRADEMARK OFFICE	Docket Number: 163.1386USU1	Application Number: 10/043,827
	Applicant: SWART ET AL.	
	Filing Date: 01/11/2002	Group Art Unit: UNKNOWN


U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2,512,640	06/27/1950	Greenspan et al.			
	3,122,417	02/25/1964	Blaser et al.			
	3,248,281	04/26/1966	Goodenough			
	3,350,265	10/31/1967	Rubinstein et al.			
	3,514,278	05/26/1970	Brink			
	3,895,116	07/15/1975	Herting et al.			
	3,996,386	12/07/1976	Malkki et al.			
	4,041,149	08/09/1977	Gaffar et al.			
	4,051,058	09/27/1977	Böwing et al.			
	4,051,059	09/27/1977	Böwing et al.			
	4,129,517	12/12/1978	Eggensperger, et al.			
	4,191,660	03/04/1980	Schreiber et al.			
	4,244,884	01/13/1981	Hutchins et al.			
	4,370,199	01/25/1983	Orndorff			
	4,404,040	09/13/1983	Wang			
	4,477,438	10/16/1984	Willcockson, deceased et al.			
	4,478,683	10/23/1984	Orndorff			
	4,501,681	02/26/1985	Groult et al.			
	4,529,534	07/16/1985	Richardson			
	4,557,898	12/10/1985	Greene et al.			
	4,592,488	06/03/1986	Simon et al.			
	4,613,452	09/23/1986	Sanderson			
	4,655,781	04/07/1987	Hsieh et al.			
	4,715,980	12/29/1987	Lopes et al.			
	4,738,840	04/19/1988	Simon et al.			
	4,802,994	02/07/1989	Mouché et al.			
	4,865,752	09/12/1989	Jacobs			
	4,900,721	02/13/1990	Bansemir et al.			

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449*  INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1386USU1	Application Number: 10/043,827
	Applicant: SWART ET AL.	
	Filing Date: 01/11/2002	Group Art Unit: UNKNOWN


	4,906,617	03/06/1990	Jacquet et al.			
	4,908,306	03/13/1990	Lorincz			
	4,917,815	04/17/1990	Beilfuss et al.			
	4,923,677	05/08/1990	Simon et al.			
	4,937,066	06/26/1990	Vlock			
	4,943,414	07/24/1990	Jacobs et al.			
	4,945,110	07/31/1990	Brokken et al.			
	4,996,062	02/26/1991	Lehtonen et al.			
	4,997,571	03/05/1991	Roensch et al.			
	4,997,625	03/05/1991	Simon et al.			
	5,004,760	04/02/1991	Patton et al.			
	5,010,109	04/23/1991	Inoi			
	5,015,408	05/14/1991	Reuss			
	5,043,176	08/27/1991	Bycroft et al.			
	5,069,286	12/03/1991	Roensch et al.			
	5,084,239	01/28/1992	Moulton et al.			
	5,093,140	03/03/1992	Watanabe			
	5,114,178	05/19/1992	Baxter			
	5,114,718	05/19/1992	Damani			
	5,122,538	06/16/1992	Lokkesmoe et al.			
	5,129,824	07/14/1992	Keller			
	5,130,124	07/14/1992	Merianos et al.			
	5,139,788	08/18/1992	Schmidt			
	5,176,899	01/05/1993	Montgomery			
	5,200,189	04/06/1993	Oakes et al.			
	5,208,057	05/04/1993	Greenley et al.			
	5,234,703	08/10/1993	Guthery			
	5,234,719	08/10/1993	Richter et al.			
	5,268,003	12/07/1993	Coope et al.			
	5,292,447	03/08/1994	Venturello et al.			

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	Applicant: SWART ET AL.	
	Filing Date: 01/11/2002	Group Art Unit: UNKNOWN

	5,314,687	05/24/1994	Oakes et al.			
	5,336,500	08/09/1994	Richter et al.			
	5,364,650	11/15/1994	Guthery			
	5,391,324	02/21/1995	Reinhardt et al.			
	5,409,713	04/25/1995	Lokkesmoe et al.			
	5,419,908	05/30/1995	Richter et al.			
	5,435,808	07/25/1995	Holzhauser et al.			
	5,436,008	07/25/1995	Richter et al.			
	5,437,868	08/01/1995	Oakes et al.			
	5,489,434	02/06/1996	Oakes et al.			
	5,494,588	02/27/1996	LaZonby			
	5,508,046	04/16/1996	Cosentino et al.			
	5,512,309	04/30/1996	Bender et al.			
	5,578,134	11/26/1996	Lentsch et al.			
	5,591,706	01/07/1997	Ploumen			
	5,595,967	01/21/1997	Miracle et al.			
	5,597,790	01/28/1997	Thoen			
	5,616,335	04/01/1997	Nicolle et al.			
	5,616,616	04/01/1997	Hall et al.			
	5,632,676	05/27/1997	Kurschner et al.			
	5,641,530	06/24/1997	Chen			
	5,656,302	08/12/1997	Cosentino et al.			
	5,658,467	08/19/1997	LaZonby et al.			
	5,674,538	10/07/1997	Lokkesmoe et al.			
	5,674,828	10/07/1997	Knowlton et al.			
	5,683,724	11/04/1997	Hei et al.			
	5,712,239	01/27/1998	Knowlton et al.			
	5,718,910	02/17/1998	Oakes et al.			
	5,756,139	05/26/1998	Harvey et al.			

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Docket Number: 163.1386USU1		Application Number: 10/043,827
Applicant: SWART ET AL.		
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	5,785,867	07/28/1998	LaZonby et al.			
	5,840,343	11/24/1998	Hall et al.			
	5,851,483	12/22/1998	Nicolle et al.			
	5,891,392	04/06/1999	Monticello et al.			
	5,900,256	05/04/1999	Scoville, Jr. et al.			
	5,902,619	05/11/1999	Rubow et al.			
	5,968,539	10/19/1999	Beerse et al.			
	5,989,611	11/23/1999	Stemmler, Jr. et al.			
	6,010,729	01/04/2000	Gutzmann et al.			
	6,024,986	02/15/2000	Hei			
	6,033,705	03/07/2000	Isaacs			
	6,049,002	04/11/2000	Mattila et al.			
	6,096,226	08/01/2000	Fuchs et al.			
	6,096,266	08/01/2000	Duroselle			
	6,096,348	08/01/2000	Miner et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	35 43 500 A1	06/11/1987	DE				X
	197 51 391 A1	07/23/1998	DE				X
	0 195 619 A2	09/24/1986	EP				
	0 233 731 A2	08/26/1987	EP				
	0 461 700 A1	12/18/1991	EP				
	0 569 066 A1	11/10/1993	EP				
	0 985 349 A2	03/15/2000	EP				
	2 321 301 A	03/18/1977	FR				X
	2 324 626 A	04/15/1977	FR				X
	78 568 A	04/20/1978	LU				X
	WO 93/01716	02/04/1993	PCT				
	WO 94/21122	09/29/1994	PCT				

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						YES	NO
	WO 94/23575 \	10/27/1994	PCT				X
	WO 95/34537 \	12/21/1995	PCT				
	WO 98/28267 \	07/02/1998	PCT				
	WO 99/51095 \	10/14/1999	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Bell, K. et al., "Reduction of foodborne micro-organisms on beef carcass tissue using acetic acid, sodium bicarbonate, and hydrogen peroxide spray washes", <i>Food Microbiology</i> , Vol. 14, pp. 439-448 (1997).
	Eggensperger, H., "Disinfectants Based on Peracid-Splitting Compounds", <i>Zbl. Bakt. Hyg., I. Abt. Orig. B</i> 168, pp. 51324 (1979).
	Lion C. et al., "New decontaminants. Reaction of peroxyacid esters with toxic insecticides", <i>Bull. Soc. Chim. Belg.</i> , Vol. 100, No. 7, pp. 555-559 (1991).
	Merka, V. et al., "Disinfectant properties of some peroxide compounds.", Abstract No. 67542e, <i>Chemical Abstracts</i> , Vol. 67 (1967).
	Mulder, R.W.A.W. et al., "Research Note: Salmonella Decontamination of Broiler Carcasses with Lactic Acid, L-Cysteine, and Hydrogen Peroxide", <i>Poultry Science</i> , Vol. 66, pp. 1555-1557 (1987).
	Parker, W. et al., "Peroxides. II. Preparation, Characterization and Polarographic Behavior of Longchain Aliphatic Peroxides", <i>Synthesis and Properties of LongChain Aliphatic Peroxides</i> , Vol. 77, pp. 4037-4041 (August 5, 1955).
	Parker, W. et al., "Peroxides. IV. Aliphatic Diperacids", <i>Aliphatic Diperacids</i> , Vol. 79, pp. 1929-1931 (April 20, 1957).
	Towle, G. et al., "Industrial Gums polysaccharides and Their Derivatives", Second Edition, Ch. XIX, "Pectin", pp. 429-444 (year unknown).
	Armak Chemicals, "NEO-FAT Fatty Acids", <i>Akzo Chemicals Inc.</i> , Bulletin No. 86-17 (1986).
	Computer search results - Level 1 - 5 patents (March 1994).
	Computer search results from Ecolab Information Center (June 1998).
	"Emery® Fatty and Dibasic Acids Specifications and Characteristics", <i>Emery Industries</i> , Bulletin 145, (October 1983).
	Pfizer Chemical Division, "Pfizer Flocon® Biopolymers for Industrial Uses (xanthan broths)", Data Sheet 679, pp. 1-4 (year unknown).
	Copy of International Search Report dated January 30, 2002 (10 pages)



23552

PATENT TRADEMARK OFFICE

EXAMINER

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